

UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY

Minutes of Meeting
Thursday, April 26, 2012
10:00 a.m. – 3:30 p.m.
UCOP, 1111 Franklin Street, Oakland – Room 5320
Telephone: 510-987-9466
<http://www.universityofcalifornia.edu/senate/>

I. Chair's Report/Announcements/Updates – Chair Meg Conkey

- **April 25 Academic Council Meeting:** Council discussed several issues related to faculty diversity with Vice Provost Susan Carlson, including: UCAAD's response to the critiques of the salary equity study; implementation of APM 210-1.d (contributions to diversity in merit reviews); report of the Faculty Diversity subcommittee of the President's Council on Climate, Culture and Inclusion group; funding for the President's Postdoctoral Fellowship Program; and Regent Ruiz' interest in faculty diversity in preparation for his visit with Council in May. After much discussion, Council endorsed in principle UCAAD's preliminary recommendation that each campus conduct a study and develop an action plan to address gender inequities in salary where they exist and report this plan to UCAAD by November 15.
- **April 11 ADVANCE Workshop:** Bibliographies that were prepared in support of the empirical research that was presented at the workshop. The research is part of the funding from UC's ADVANCE grant from the NSF, which aims to increase the number of women and minorities who pursue academic careers in the STEM fields (Science, Technology, Engineering, Math).

II. Consent Calendar

- Approval of the Agenda
- Approval of the January 12, 2012 Meeting Minutes

ACTION: The agenda and the minutes were approved as noticed.

III. Council Response to Salary Equity Study – Chair Conkey and Members

DISCUSSION: The Committee discussed the Academic Council response to the draft UCAAD recommendations on the Salary Equity Study and what specific actions it might undertake, such as providing, as it can, systemwide data if a campus so desires (such as noted by UCSB in a concern for comparative analysis). Chair Conkey summarized comments to the compendium of responses to the UCAAD report, *Analysis of UC Pay Equity by Sex and, Among Men, Ethnicity 2009-2010*, undertaken on behalf of UCAAD by Professor Emerita Pauline Yahr (UC Irvine). Professor Yahr had been a past Chair and member of UCAAD when the initial steps on this study were taken by the Office of the President, which included the selection of the method to be used.

Across the board, there is agreement that any situation of pay inequities is of serious concern and should be addressed in a pro-active and even aggressive manner. Several campuses have already anticipated that further action might best take place at the level of the individual

Council Response to Salary Equity Study *(continued)*

campus and/or have proposed specific foci of further research and inquiry. And several campuses have already initiated their own studies in recent years. Most campuses opine that this study has not convincingly demonstrated that salary inequities and disparities exist due to gender discrimination, although most would agree that, minimally, the study's findings are "troubling". Even those opinions that most strongly doubt the efficacy of the chosen method and/or the results to date add that further attention, study and action are called for. While we also note that some comments or interpretations are not completely accurate, UCAAD will address these in a separate document primarily for the record. None of these, however, are of such substance to preclude a consideration at this time of the "next steps" that we would like to have in place by the close of this academic year.

UCAAD never anticipated that this particular methodology would be able to capture the complexities of our merit and salary system; no single methodology is likely to do so. Nonetheless, as indicated in the report, this was the method selected by the Chancellors and has been used with varying degrees of success in many other studies. In our response to the responses, UCAAD has chosen to not dwell on the methodology *per se*. Detailed and back-and-forth discussion of methodology, we feel, will only delay efforts to identify and correct salary inequities and perhaps not fundamentally change our current understanding that problems exist and that they need to be addressed in a most timely manner. Especially given that our core proposal is that the individual campuses should develop their own plans for any further study or research that can illuminate more precisely the nature of salary inequities, a methodology debate seems to partially distract us from taking significant steps to engage more deeply with the data and thus processes at work that point to or substantiate that salary inequities exist.

UCAAD has developed a list of the core critiques from the campuses, two UC systemwide committees and from the Office of the President. The response from President Yudof also included an overview of what were considered to be core campus responses. Additionally, we have developed a list of what appear to be the major suggestions for "next steps" in research and/or action that have come from reviewers. UCAAD concurs with the suggestion made in one form or another by several sources; namely, that each campus develop their own study and action plan in consultation and discussion with the Divisional Senate. Despite our 10-campus unities, personnel histories and processes vary among the 10 campuses and, in many respects, locating root causes is certainly based at the local level, perhaps even in different departments and other personnel units. Salary decision-making also varies by campus and perhaps even by unit within a campus. This effort will necessarily involve administrators at all levels. Some campuses have begun salary equity reviews and may need to take different steps at this time.

One specific issue that UCAAD feels particularly strongly about is that the responsibility for inquiry into potential salary inequities not rest on individual faculty members. Rather, we urge that each campus develop campus-congruent mechanisms that would insure that department chairs, Deans and higher level administrators would address inequities in pro-active ways: with a full grasp of what inequities exist; specify mechanisms to address them; and develop specific plan(s) to "correct" pay inequities. And while the Pay Equity Study primarily was able to use adequate data on white men, on women (undifferentiated by ethnicity) and some for men from groups often classified as under-represented, we underscore that to UCAAD, we are interested in as broad a set of "group" data as possible that may sort out various dimensions of gender, ethnicity, age/seniority, etc. Additionally, we urge that annual pay equity studies are to be undertaken immediately within each unit of each UC campus both to gain basic data and also to monitor the situation, from the level of a department on up.

Council Response to Salary Equity Study *(continued)*

In order to insure that this action does move forward in as timely a manner as possible, we would request that individual campus plans be presented to relevant systemwide bodies, such as UCAAD and the Academic Council, by November 15, 2012. Such plans should include specifics and a timeline, as well as those specifically responsible for each step and part of the proposed process. This recommendation was endorsed by Academic Council. No matter what any given plan calls for we want to state that we will present a preliminary UCAAD action plan by the end of June 2012.

IV. Consultation with the Academic Senate Leadership – *Robert Anderson, Academic Council Chair and Robert Powell, Academic Council Vice Chair*

Chair Bob Anderson updated UCAAD on various items from Council including: the Memorial to the Regents in which total of 3404 faculty members voted, and the vote was 93% in favor of the Memorial; the convening of a Senate Membership Working Group that will address the underlying issues raised by the San Francisco Division in regard to Senate membership; and several issues related to faculty diversity as noted above.

V. Consultation with UCAP and UCAF on Proposed Changes to APM-210-1.d – *Chair Conkey*

DISCUSSION: The Committee discussed the concerns voiced recently by some members of UCAP and UCAF on proposed changes to APM-210-1.d. and ideas for how to think about the APM mandate with particular regard for evaluation of research contributions. They also discussed how UCAAD, UCAP and UCAF might work together to develop some “best practices” for inter-relations between UCAAD/campus diversity committees on the one hand, and UCAP/ campus CAPs on the other hand.

VI. Senatwide Review Items – *Chair Conkey and Members*

UCAAD has been invited to opine on the following proposals available online at:
<http://www.ucop.edu/acadadv/acadpers/apm/review.html>.

A. APM-035 (Affirmative Action and Nondiscrimination in Employment)

Proposed technical revisions reflect updates in federal and state regulations which identify additional types of prohibited discrimination; revisions also ensure conformity with federal and state definitions as relates to “service in the uniformed services.” These revisions involve no substantive changes in policy. Due: June 11, 2012

Due to time constraints, this item was postponed; discussion will take place over email.

B. APM-190 Appendix A-1, Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy)

The Whistleblower Policy quotes California Government Code Section 8547.2. Revisions reflect changes recently made to that Code Section by the California Legislature. Due: June 11, 2012

Due to time constraints, this item was postponed; discussion will take place over email.

C. APM-010 (Academic Freedom) and APM-015 (The Faculty Code of Conduct)

Proposed revised language in both policies to include within the protections of academic freedom, the freedom to speak on matters of institutional policy. Due: June 20, 2012

Due to time constraints, this item was postponed; discussion will take place over email.

Senatewide Review Items (continued)

UCAAD has been invited to opine on the following proposals available online at:
<http://www.ucop.edu/acadadv/acadpers/apm/review.html>.

D. APM-016 (University Policy on Faculty Conduct and the Administration of Discipline)
Remedies the omission of a single, clear statement in the Academic Personnel Manual that faculty will comply with University policy. Due: June 20, 2012

Due to time constraints, this item was postponed; discussion will take place over email.

VII. Report of the Joint Faculty Diversity Faculty Diversity Working Group – Chair Conkey and Committee Members

The report of the joint Faculty Diversity Faculty Diversity Working Group, one of five groups created by President Yudof to support the President’s Advisory Council on Campus Climate, Culture, and Inclusion recommends 11 “promising practices” for fostering a diverse faculty and makes distinct proposals for Systemwide and local implementation. Comments are requested by June 20, 2012.

DISCUSSION: Vice Provost Carlson reported that the Faculty Diversity Working Group of the President’s Council on Climate, Culture and Inclusion suggested a range of alternative recommendations, some of which can be implemented on the campuses and some at the systemwide level. The University needs to decide who should be accountable for meeting diversity goals. The Working Group identified better implementation of APM 210 as an opportunity for improvement.

ACTION: Chair Conkey will circulate a draft letter to members summarizing UCAAD’s comments.

**VIII. Announcements from the President’s Office –
Vice Provost Susan Carlson, Academic Personnel
Diversity Coordinator Jesse Bernal**

Vice Provost Susan Carlson discussed on the data collection system on the people involved and the efficaciousness of best practices and research related to the UC recruit system related to advancing diversity in faculty searches and recruitment; and the series of UC ADVANCE grant campus roundtables

Diversity Coordinator Jesse Bernal provided an update on the development of the campus climate survey template. The full accountability report will include 14 longitudinal data indicators.

IX. Review of Bio Bib Forms and Revision of 2002 UCOP Guide to Recruitment and Retention of Faculty – Chair Conkey and Vice Provost Susan Carlson, Academic Personnel

DISCUSSION: The Committee continued to discuss the revision of the guide and input from the campuses with the ultimate goal of creating a new document that is jointly authored by the Administration and the Senate in consultation with Academic Personnel. Members also discussed current issues associated with Evaluating Contributions to Diversity for Appointment and Promotion (APM-210-1.d) guidelines including inquiries to UCAF suggesting that by specifying that credit be given to faculty who do work to better understand inequality and not to those who work on equality diminishes the value of these faculty members and potentially raises academic freedom issues.

X. Roundtable: Campus Updates – Committee Members

Members shared campus updates on diversity-related activities including: graduate applications, faculty hiring (utilization) of women and URMs, forms used for promotion and tenure review and other related efforts.

XI. New Business

Vice Chair Manuela Martins-Green asked members to bring thoughts and ideas for goals and priorities for next year. She mentioned that one possible issue she has considered has to do with the appointment of Assistant Professors to local faculty diversity committees.

Adjournment:

The meeting was adjourned at 3:30 p.m.

Attest: Meg Conkey, Chair
Prepared by Eric Zárate, Committee Analyst

UCAAD 2011-12 Remaining Meeting Schedule:

June 21, 2012 – Room 5320